John J. Sollecito, Director (518) 457-1723

October 28, 1983

X-Tyal International Corp. Attn: George DeWitt, Jr. N. Front & Dock St. Hudson, NY 12534

Gentlemen:

Please take notice of the Default Order of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to Section(s) 1090 of the Tax Law, any proceeding in court to review this decision must be commenced within 4 months from the date of this notice.

Inquiries concerning the computation of tax due or refund allowed in accordance with this decision may be addressed to the undersigned at the above address.

Very truly yours,

pervisor of Tax Conferences

cc: Taxing Bureau's Representative

In the Matter of the Petition

of

X-Tyal International Corp.

DEFAULT ORDER

Attn: George DeWitt, Jr.

83-C-30

for Redetermination of Deficiency or for Refund of

Corporation Franchise Tax under Article 9A

of the Tax Law for the Year 1981.

Petitioner(s) X-Tyal International Corp. Attn: George DeWitt, Jr. filed a petition for redetermination of deficiency or for refund of Corporation Franchise Tax under Article 9A of the Tax Law for the Year 1981. File No. 42954.

A pre-hearing conference on the petition was scheduled before Earl Womer, at the offices of the State Tax Commission, Bldg. #9, State Office Campus, Rm. 107, Albany, New York 12227 on Tuesday, August 16, 1983 at 2:45 p.m. Notice of said pre-hearing conference was given to petitioner(s). Petitioner(s) did not appear at the pre-hearing conference. A default has been duly noted.

Now on motion of the State Tax Commission, it is

ORDERED that the petition of X-Tyal International Corp. Attn: George DeWitt, Jr. be and the same is hereby denied.

DEFAULT ORDER
ADOPTED BY THE STATE TAX COMMISSION
ALBANY, NEW YORK
OCTOBER 28, 1983